

**RECEIVED****NOTICE****UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS**

NOV 26 2007

NOV 26 2007  
MICHAEL W. DOBBINS  
CLERK, U.S. DISTRICT COURT

<b>Jahari Nessor Oba El Bey</b>	)	
Agent for Howard L. King	)	
	)	
<b>In Propria Persona</b>	)	<b>United States District Court</b>
	)	<b>Northern District of Illinois</b>
<b>Plaintiff</b>	)	
	)	
<b>v.</b>	)	07CV6638
	)	JUDGE GOTTSCHALL
<b>STATE OF ILLINOIS</b>	)	MAG. JUDGE VALDEZ
	)	
<b>Defendant</b>	)	

**COMPLAINT**

**COMES NOW** Jahari Nessor Oba El Bey, Agent for Howard L. King, stating that I received no justice regarding Civil Case Numbers: YG-858337, YG858338, YG-858339 from the presiding judge(s) due to the negation of my rights by not honoring his/her Oath of Office by not upholding my rights of and through the Constitution of the United States of America.

1. The transcript (Exhibit A) spells out the judge(s) non-allegiance to that oath.
2. The judge(s) dishonored the fact that an act in accordance with a United States Federal Court ruling (can not be overturned), to wit: "The claim and exercise of a Constitutional Right cannot be converted into a crime." Miller v. U.S. 240 F. 2D 286489;
3. The judge(s) failed to honor, uphold and abide by the oaths taken by him/her and the attending court officers in this matter;
4. The judge(s) failed to provide equal protection under the law, as required by the National and state Constitutions, pursuant to referenced oaths;
5. The judge(s) also failed to provide due process of law, pursuant to the First, Fourth, Fifth, Six, Seventh, Ninth, and Fourteenth Amendments of the Constitution of the United States of America, and as required by the aforementioned oaths taken by the presiding judge and attending court officers, in this matter;
6. The judge(s) also failed to provide equal protection under the law, as required by the National and state Constitutions, pursuant to referenced oaths;
7. The judge(s) also failed to respect, protect and uphold the Rights of King/Oba El Bey, an America Citizen, in this matter, which Rights are guaranteed in the National and state Constitutions, pursuant to referenced oaths;

UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF ILLINOIS


COMPLAINT

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8. The judge(s) also failed to acknowledge and uphold the Constitution of the United States of America as the Supreme Law of this court, in this matter, pursuant to the mandate of Illinois, that the National Constitution is the Supreme Law of the Illinois;
9. The judge(s) failed to acknowledge and so rule that any court and/or judge which denies a Citizen to present evidence in any hearing or trial in total support of his/her position, which evidence had previous been sent to Plaintiff and is unrebutted by Plaintiff and counsel, is perjury of oath and denial of due process of law. Since neither Plaintiff nor counsel rebut this evidence, then, there is no dispute, and since there is no dispute, there is no controversy, charges must be dismissed;
10. The judge(s) did not acknowledge and so rule that this court and no other court and no judge in Illinois has jurisdiction over or can issue a court order against an American Citizen if that court and/or judge; (a) do not provide due process of law; (b) do not provide equal protection under the law; (c) do not respect and uphold the Constitutional Rights of American Citizens, and in the instant action, the Rights guaranteed in the Constitutions of the United States of America and the Republic of Illinois; (d) act with sufficient force so as to deny the powers of the National and state Constitutions.
11. This Complaint seeks that the judge(s) allows me to claim and exercise my constitutional rights and require that the presiding judge rule upon this complaint, as well as all public officers of the court in upholding said rights.
12. I, Jahari Nessor Oba El Bey, Agent for Howard L. King, am requesting the court for payment of damages in the amount of One Million Dollars each from both the judge(s) and the court for the injury and damage they have caused me.
13. **Included are Exhibits as follows:**
  - a) **Apostille [Convention de La Hage du 5 October 1961]**
  - b) **Copyright / Nunc Pro Tunc**
  - c) **[REDACTED]**
  - d) **Transcript**
  - e) **Notice of the Unalienable Right to Travel in the Nature of a Declaration of Fact**
  - f) **Your Right To Travel In Your Private Car Without Government Interference**
  - g) **Officer, Am I Under Arrest Or Am I Free To Leave?**
  - h) **Motion To Object And To Dismiss**
  - i) **Notice Of Appeal / Verified Petition For Report Of Proceedings And Common Law Record**

**Wherefore this Agent – Oba El Bey for Defendant “King” respectfully moves this court to grant Damages for the Aforesaid reasons.**


Respectfully submitted,  
All Rights Reserved 1-207 and 1-308

  
Jahari Nessor Oba El Bey, American Citizen  
and Agent for Howard L. King  
P.O. Box 503  
Lansing, Illinois 60438

**CERTIFICATE OF SERVICE**

I certify that on this 27<sup>th</sup> day of November, 2007, a true and exact copy of the aforesaid Complaint was hand delivered by me to the **United States District Court, Northern District of Illinois.**

**All Rights Reserved.**

  
Jahari Nessor Oba El Bey, Agent for: Howard L. King, American Citizen



# State of Michigan



DEPARTMENT OF STATE

## APOSTILLE

(Convention de La Haye du 5 Octobre 1961)

1. Country: **UNITED STATES OF AMERICA**

*This public document*

2. has been signed by: **KALIYM BEY**

3. acting in capacity of: **Michigan Notary Public**

4. bears the seal of: **KALIYM BEY**  
**WASHTENAW County, Michigan**

### CERTIFIED:

5. at Detroit, Michigan

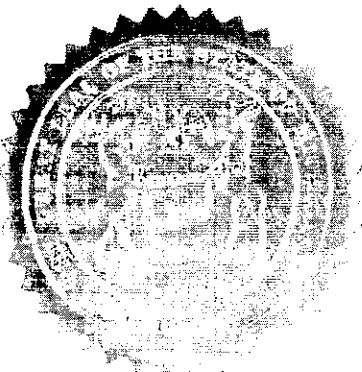
6. the 24th of September, 2007

7. by Secretary of State, State of Michigan

8. NO. 16162-2-51962-157

9. Seal/Stamp:

10. Signature:



**Terri Lynn Land**

This certification attests only to the authenticity of the signature of the official who signed the affixed document, the capacity in which that official acted, and where appropriate, the identity of the seal or stamp which the document bears. This certification is not intended to imply that the contents of the document are correct, nor that they have the approval of the State of Michigan.

## Archetype

Form: publici juris/Affidavit

Session: one supreme Court

# Jahari Nessor Oba Bey, A Private Pure Trust

## Act of State; Reaffirmation of Pure Trust Relationship

### Reaffirmation of Dual Citizenship

### And Renunciation of Attempted Expatriation

**Personal Identification:** I, Jahari Nessor Oba El Bey <sup>TM</sup> ©, a Private Pure Trust, of Almighty God, in residence, in body, soul and spirit, and also identified as JAHARI NESSOR OBA EL BEY, one of my external expressions and fictitious externalities, in the personal theater of my life, and social involvement, by International Common Law Recording, being of the age of majority, complete in my faculties, a natural born Divine Creation, and a Private, Sentient, Civilian, Absolute Sovereign Person of planet earth; of North America, greater than the constitutional Public survey boundaries of The State of Michigan, a State, of a constitutional Township, myself, of God's Creation being greater than the body of a constitutional county and universe, the proper jurisdictions of the Common Law thereto, do solemnly make this Reaffirmation of Dual Personhood, pursuant to my absolute freedom of spiritual condition, as prophesied and established by the prophets of (God), and absolute from the date of 630 AD, pursuant to the work of God making me an Ambassador and Subject-Citizen of the Providence / Kingdom of Heaven under its King, Allah (God); and an American Sovereign Citizen-Principal in good Standing and Behavior, Public Minister (Ambassador), and "dominium" (absolute owner) inhabitant of the organic United States ("a more perfect Union") under the Constitution for the United States of America (1791 to Date) as ordained and established, with reservation of all Divinely created and established inherent unalienable Rights/Privileges. It is at the same time that I renounce and declare void, ab initio, any and all attempts of the (De Facto /Renegade/Corporate), by means of fictions or otherwise, of any changes in my lawful Personhood / Citizenship Status to that of a U.S. Corporate Statutory/Military/Maritime/Admiralty/Fictitious "U.S."; "person", "consumer", "individual", "citizen", "citizen-subject" "plaintiff-defendant", "resident", "whoever", "taxpayer", "driver", "gun/firearm owner", "debtor", et al, subject to the seizure of Alien Properties by the hypothecated, Corporate / Legislative /Military/ Maritime / Admiralty / Fictitious Democracy UNITED STATES, Inc. et al. Such corporations, fraudulent and non-existent in the Law, or by any fictional or statutory lawful means, include, but are not limited to, UNITED STATES, STATE OF Michigan, COUNTY OF WASHTENAW, CITY OF ANN ARBOR, JAHARI NESSOR OBA EL BEY, BEY, JAHARI, ssn: 347-56-8572; II birth: 112-59-0035802.

**Corporate Relationship(s):** This doctrine of "Piercing the Corporate Veil", to all government, fictional or real, and its government corporations, even all being bankrupt, as of 1933, Public Law 89-719; with its "Instrumentality Rule", will serve Notice, (judicial, presidential, or otherwise), that all acting as Corporate officers, etc., whether by color of law or color of official right, are acting or have acted without the usual immunities afforded in lawful civil/judicial proceedings. Such government has created a fictional person about myself, identified as a *Federal Fictional Alii Capitals Corporate Name* (strawman) to use in trade, but at my sole discretion of use, not their discretion, requiring payment to me of any use, reference or holding(s).

**Rights Held Back from any Government:** For peace and safety of all Corporate officers, etc., as well myself I have identified all my guaranteed, absolute properties ("Life, Liberty, and Pursuit of Happiness", "Economic Liberties and transactions" "Private International Law"), these being restrained from the same, until such time as the present De Facto/Renegade/Corporate government can make the necessary changes to its structure to insure the same. These identifications, presentment(s), will list the International Record (Serial) Number (Apostille No.) (Social Security) (Drivers License), as has been recognized, received, recorded, and issued by the De Facto/Renegade/Corporate government. This Number is the international recording /registration, National authentication, State certification of a Public Document of the United States of America, my Nation(s); and of my Personhood /Citizenships, as well as identification of all guaranteed, absolute properties, whether Private or Public, are and have been in Lawful possession of me/myself. Any confiscation or seizure of any kind of any of the guaranteed, absolute Private and Public properties by any of the De Facto/Renegade/Corporate officers, etc. will result in damages of Ten Million Dollars of United States (Treaty States, nation-state) specie Money (United States Dollars silver/Blocked), being enumerated in Article I, Section 10, Clause 1 as "gold and silver Coin" in the Constitution for the United States of America (1791 to Date), and or seizure of government property, to be multiplied by not only the damaging party(s), but all those in concert and any causes of action. I am judge in my own affairs and rights, given to none other.

**Declaration(s):** This Pure Trust Declaration is made absolute by the enclosed Apostille, to The State of Michigan, US Federal, international witness, copy, and, pursuant to 15 Stat. ch. 249 pg. 223 (1868), is of its own absolute jurisdiction, is self-actuating, is self-determined, established by Allah (God), shall be made final, adopted, and accepted by the *Doctrines of Estoppel* (by acquiescence), *Law of the Record* (Apostille), *Moral Obligation* (peremptory mandamus), Declaration(s), and the Divine Law (380 U.S. 163; Through the Bible's prophecies is law to be applied nationally); or upon the passing of a customary and reasonable time of ten (10) consecutive calendar days from receipt of the service guaranteed U.S. Mail (Certified) or otherwise. It will be the U.S. President's absolute ministerial duty to identify, restore, and correct any and all errors, injuries, wrongs, and damages at anytime applied and/or attached to Me, or any fictional characterization(s) about myself, pursuant to Congressional demand within 15 Stat. ch. 249.

I can redefine, reverse, alter, add, amend, re-organize, re-declare, change this Act of State at any time or place I should so desire, effecting my birthright treaties, trusts, chattels, loans, debt, credit, mortgages, relationships, taxes, government regulations, private rights held back from government(s), externalities, declarations, invisible contracts, presentments, economic liberties, research & development of rights, not limiting any other restrictions.

**Dates:** Spiritual: "In the Beginning" plus Six Days; Announcement of *Diplomatic Arrival*: 4 April 1958. This *Act of State* being retroactive to birth solely, at my own discretion.



Jahari Nessor Oba El Bey

Without prejudice, <sup>TM</sup> © (Common-Law); Qur'anic Law; Providence of God

Kaliym Bey, A Private Pure Trust (one of my expressions) Myself, Ministry in the Providence of the Creator (God) in North America Me: American Citizen/Citizen of Michigan; Christian; In Peace and Submission to the Creator's (One God) Creative Authority and Power right thumb Private, Sentient, Civilian Absolute Sovereign, Personhood / Citizen; united States of America: The State of Michigan, a state. "Within" a constitutional county and a constitutional township republics;

"... at the mouths of two, or at the mouths of three the matter is established." Deuteronomy 19:15

Zafina A. Brak El Bey  
Divine, Sentient, and Common Law Witness

Chad Brak El Bey  
Divine, Sentient, and Common Law Witness

## Archetype

Form: publici juris/Affidavit  
Session: one supreme Court

# Act of State in Pure Trust

## Primary Signature Certification

### (Convention de La Haye du 5 octobre 1961)

### TIAS 10072, 33 UST 883, 527 UNTS 189, (Convention # 12)

I, KALIYM BEY, a duly certified and qualified Notary, do hereby certify the document enclosed to be a true, correct, complete, not misleading Original of the Archetype, containing the primary signature as sealed below. This notarization is for the purpose of signature certification only, for foreign use (i.e. United States of America) of the U.S. originated document. This is pursuant to the Hague Conference on Private International Law dated 5 October 1961, at the Convention Abolishing the Requirement of Legalisation for Foreign Public Documents. It was on 15 October 1981 in which the United States declared as being a signatory to this Convention, and this procedure is required for the legalisation of administrative/judicial documents as herein enclosed.

The State of Michigan 1  
The County of Washtenaw 1

Acknowledged before me

Jahari Nessor Oba El Bey  
Sentient Citizen

Kaliym Bey  
Notary

Seal/Stamp

Kaliym Bey  
Notary Public  
Acting In Washtenaw County  
My commission expires 9/5/2013  
COMMISSIONER OF WASHTENAW COUNTY

Apostille Number:

Re-affirmation of Pure Trust / Reaffirmation of Dual Citizenship / Renunciation of attempted Expatriation / Act of State / Diplomatic Arrival

**AFFIDAVIT**

**REVOCATION OF SIGNATURE, FOR GOOD CAUSE**

**COMES NOW** Jahari Nessor Oba El; Bey the affiant, who is of lawful age and sound mind, who is a competent witness and is telling the truth, voluntarily relating the following first hand knowledge of the facts and stating that these facts are true and represent the best of my knowledge.

Because the Illinois Secretary of State/Department of Public Safety, Driver and Vehicle Services, through false information, concealment of information, disinformation, misinformation, and misdirection is intentionally misleading me into believing that I have a legal duty of obtaining a license to travel upon the public streets or highways, I am hereby revoking my signature, for good cause, off all filings of their "Applications for a Drivers License" between the years of nineteen seventy six and two thousand seven and those applications are hereby made void, ab initio.

I was misinformed and misled into believing that there was a legal requirement for having to obtain a License to Drive on public streets or highways to go about my daily routines, or to and from my place of work, when in fact, American citizens do indeed have the inalienable right, to use the roadways "UNRESTRICTED" in any manner, as long as they are not damaging or violating property or rights of others.

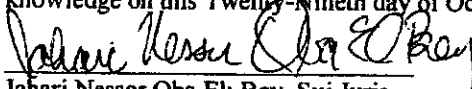
Supreme Court Case Thompson v. Smith 154 se 579, has ruled, you cannot turn a right into a mere privilege, the right to use the public streets or highways for mere travel by automobile is not against the law. I do not use the public streets or highways for FINANCIAL gain, nor do I use it for COMMERCIAL PURPOSES,

Further more the distinction is made very clear in the ILLINOIS CONSTITUTION Article 4, Sec 8 and ILLINOIS Statute, STREET OR HIGHWAY. the entire width between property lines of every way or place of whatever nature when any part thereof is open to the public, as a MATTER OF RIGHT, for the purpose of vehicular traffic.

Therefore I am revoking, rescinding, rejecting any and all signatures for the years specified above.

This document is the preparation of the undersigned.

Before the Almighty God and under His statutes, I declare that the foregoing is the truth in accord with the best of my knowledge on this Twenty-Ninth day of October in the year of our Lord Two Thousand Seven.

  
Jahari Nessor Oba El; Bey, Sui Juris

**ACKNOWLEDGEMENT**

Jahari Nessor Oba El; Bey, the undersigned, who is personally known by me or upon proper identification, is appearing before me this day and signing the within instrument in my presence and for the purpose therein stated.

Signed this day, October 29, 2007 at, Washtenaw County, Michigan State

**SEAL**

  
Notary Public

My commission expires on: 9/5/2013

**Kalym Bey**  
**Notary Public**  
**Acting In Washtenaw County**  
**My commission expires 9/5/2013**





Doc#: 0733047022 Fee: \$50.50  
 Eugene "Gene" Moore  
 Cook County Recorder of Deeds  
 Date: 11/26/2007 12:33 PM Pg: 1 of 3

**Copyright**  
**Howard Leroy King**  
 Nunc pro tunc

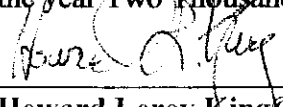

**Copyright Notice: nunc pro tunc:** For the record, on the record, let the record show All rights reserved in Law re common-law copyright© 1977of trade name/trademarks HOWARD LEROY KING and, of, and also, "Howard Leroy King El©TM," nunc pro tunc as well as any and all derivatives in variations in the spelling of said trade names/trademarks TM not excluding, "Howard Leroy King©TM," and, or, and also, Howard Leroy King© TM, nunc pro tunc-Common Law Copyright©TM ,1977, 1959 respectively by Howard Leroy King©TM. Said common law trade names/trademarks, i.e. HOWARD LEROY KING© TM may neither be used nor reproduced, neither in whole nor in part, nor in any manner whatsoever without the prior, expressed, written consent and acknowledgement of Howard Leroy King©TM / Jahari Nessor Oba El Beyl©TM, and, or, and also. **True Indigenous Native-American Muurs/Moors, Real Human,** (Either), Beings, Living Souls by the laws of Our Creator, (Am). The Most High is signified by the red-ink signatures, (As our blood), of Howard Leroy King©TM / Jahari Nessor Oba El Bey©TM, and, or, and also hereinafter jointly and severally, "Secured Party." **With the intent of being contractually bound,** any juristic person, as well as the agent of said juristic person, consents and agrees by this Copyright Notice that neither said juristic person, nor the agent of said juristic person; shall display, nor otherwise use in any manner the common-law trade-names/trademarks HOWARD LEROY KING©TM, and, nor the common-law copyright described herein, nor any derivative of nor any variation of the spelling. HOWARD LEROY KING©TM, and, or, and also without the prior express written content and acknowledgement of Secured Party, as signified by Secured Parties signature (s) in red-ink. Secured Party neither grants, nor implies, nor otherwise gives consent for any unauthorized use of any of HOWARD LEROY KING©TM, Or, and also, all such unauthorized use is strictly prohibited. Secured Party is now, nor has Secured Party ever been an accommodation party, nor a surety for any of the purported debtors, i.e., HOWARD LEROY KING©TM, and or, and also for any derivative of, nor for any variation in spelling of, said names, nor for any other juristic person, and is indemnified and held harmless by HOWARD LEROY KING©TM, and, or and also Debtors in Hold-Harmless and Indemnity Agreement No.HLK-04181977-HHIA dated the 10<sup>th</sup> day of the 9<sup>th</sup> month in the year two thousand and six. A.D. against any all claims, legal actions, orders, warrants, judgments, demands, liabilities, losses, depositions, summonses, lawsuits, costs, fines, liens, levies, penalties, damages, interests and expenses whatsoever, both absolute and contingent, as are due and as might become due, now existing and as might hereafter arise, and as might be suffered by, imposed on, and incurred by Debtors for any and every reason, purpose and cause whatsoever. **Self-executing Contract/Security Agreement in Event of Unauthorized Use:** By this Copyright Notice, both the Juristic Person and the agent of said Juristic Person, hereinafter jointly and severally "User," consent and agree that any use of HOWARD LEROY KING©TM, and, other than authorized use as set forth above constitutes unauthorized use, counterfeiting of Secured Party's Howard Leroy King©TM/ Jahari Nessor Oba El Bey©TM, is Secured Party and

signifies that User: 1) Grants Secured Party a security interest in all User's assets, land and personal property and all of User's interest in assets, land and personal property, in the sum certain amount of \$5,000,000.00 per each and every occurrence of use of any and all derivatives of, and variations in the spelling of the ~~common-law~~*copyrighted trade-names/trademarks*, HOWARD LEROY KING<sup>TM</sup>, not excluding, HOWARD LEROY KING<sup>TM</sup>, respectively, *plus costs, plus triple damages*, (2). authenticates this Security Agreement wherein User and, or Users are/is debtor (s), and Howard Leroy King<sup>TM</sup>/ Jahari Nessor Oba El Bey<sup>TM</sup>, is Secured Party, and wherein User pledges all of User's property, i.e., all assets land, consumer goods, farm products, inventory, equipment, money, investment property, commercial tort claims, letters of credit, letter-of-credit rights, chattel paper, instruments, deposit accounts, accounts, documents and general intangibles, and all User's interest in all such foregoing property, now owned and hereafter acquired, now existing and hereafter arising, and wherever located, as collateral for securing User's contractual obligations in favor of Secured Party for User's unauthorized use of Secured Party's common-law copyrighted property, (3). consent's and agrees with Secured Party's filing of a UCC Financing Statement in the UCC filing office, as well as in the county recorder's office, wherein User is **Debtor** and Howard Leroy King<sup>TM</sup>/ Jahari Nessor Oba El Bey<sup>TM</sup>, is Secured Party; (4). consents and agrees that said UCC Financing Statement described above in paragraph "(3)", is a continuing financing statement, and further consents and agrees with Secured Party's filing of any continuation statement necessary for maintaining Secured Party's filing of any continuation statement necessary for maintaining Secured Party's perfected security interest in all of User's property and interest in property, pledged as collateral in this Security Agreement and described above in paragraph, "(2)", until User's contractual obligation theretofore incurred has been fully satisfied, (5). consents and agrees with Secured Party's filing of any UCC Financing Statement, as described above in paragraphs "(3)", and "(4)", as well as the filing of any Security Agreement as described above in paragraph "(2)", in the UCC filing office, as well as in any county recorder's office; in any county recorder's office; (6). consents and agrees that any and all such filings described in paragraphs "(4)" and "(5)" above are not, and may not be considered bogus, and that User will not claim that any such filing is bogus; (7). waives all defenses; and, (8). appoints Secured Party in respect of the "Self-executing Contract/Security Agreement in as Authorized Representatives for User, effective upon the User's default re User's contractual obligations in favor of Secured Party as set forth below under "Payment Terms," and "Default Terms," granting Secured Party full authorization and power for engaging in any and all actions on behalf of User including, but not limited by, authentication of a record on behalf of User, as Secured Party, in Secured Party's sole discretion, deems appropriate, and User further consents and agrees that this appointment of Secured Party as Authorized Representative for User, effective upon User's default, is irrevocable and coupled with a security interest. **User further consents and agrees with all of the following additional terms of Self-executing, Contract/Security Agreement in Event of Unauthorized Use: Payment Terms:** In accordance with fees for unauthorized use of any of HOWARD LEROY KING<sup>TM</sup> set forth above. User hereby consents and agrees that User shall pay Secured Party all unauthorized-use fees in full within (10) days of the date User is sent Secured Party's invoice, hereinafter "invoice," itemizing said fees. **Default Terms:** In itemizing said fees. **Default Terms:** In event



of non-payment in full of all unauthorized-use fees by User within (10) days of date the invoice is sent, User shall be deemed in default and: (a) all of User's property and property pledged as collateral by User, as set forth above in paragraph "(2)", immediately becomes, i.e., is property of Secured Party; (b) Secured Party is appointed User's Authorized Representative as set forth above in paragraph "(8)" and "(c)". User consents and agrees that Secured Party may take possession of, as well as otherwise dispose of in any manner that Secured Party, in Secured Party's sole discretion deems appropriate including, but not limited by, sale at auction, at anytime following User's default and without further notice any and all of User's property and interest, described above in paragraph "(2)", formally pledged as collateral by User, now property of Secured Party, Even of Unauthorized use, that Secured Party, again in Security Party's sole discretion, deems appropriate. **Terms for Curing Default:** Upon event of default, as set forth above under, "Default Terms", irrespective of any and all of User's former property and interest in property, described above in paragraph "(2)", in the possession of, as well as disposed of by Secured Party as authorized above under "Default Terms". User may cure User's default only if t Jahari Nessor Oba El Bey<sup>TM</sup> he remainder of User's said former property ad interest property, formerly pledged as collateral that is neither in the possession of, nor otherwise disposed of by, Secured Party within twenty, (20), days of date of User's default only by payment in full. **Terms of Strict Foreclosure:** User's non-payment in full of all unauthorized-use fees itemized in invoice within said twenty, (20), days period for curing default as set forth above in User "Terms for Curing Default", authorizes Secured Party's immediate non-judicial strict foreclosure on any and all remaining former property and interest in property, formerly pledged as collateral by User, now property of Secured Party, which is not in the possession of, nor, otherwise disposed of, by Secured Party upon expiration of said twenty, (20), day defaulting-curing period. Ownership subject to common-law copyright and UCC Financing Statement and Security Agreement filed with the UCC filling office. Record owner; "Howard Leroy King<sup>TM</sup>/ Jahari Nessor Oba El Bey<sup>TM</sup>," incurs same unauthorized-use fees as those associated with Howard Leroy King<sup>TM</sup> / Jahari Nessor Oba El Bey<sup>TM</sup>, respectively, as set forth above in paragraph "(1)", under, "Self-executing Contract/Security Agreement in Event of Unauthorized Use."

**Copyrighted© Nunc pro tunc:** Drafted and dated this 26 day of the November in the year Two Thousand and seven A.D.

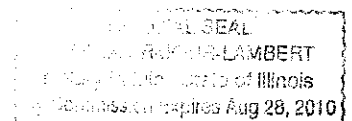
   
 \_\_\_\_\_  
 Howard Leroy King<sup>TM</sup>/ Jahari Nessor Oba El Bey<sup>TM</sup>. UCC 1-207, without prejudice and all rights reserved.

**Signer Autograph-Secured Party/Creditor.**

**An Original Indigenous Native Washitaw Yamasee - Sovereign Moor**

**Geography Common Law © 1977 by Howard Leroy King<sup>TM</sup> / Jahari Nessor Oba El Bey<sup>TM</sup>,**

**All Rights Reserved at Law Forever, UCC 1-207 UCC 1-308**



STATE OF ILLINOIS )  
 ) ss:  
COUNTY OF C O O K )

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
MUNICIPAL DEPARTMENT - SIXTH MUNICIPAL DISTRICT

THE PEOPLE OF THE )  
STATE OF ILLINOIS, )  
 )  
Plaintiff, )  
 )  
 )  
VS. ) YG 337-339  
 )  
HOWARD KING, )  
 )  
Defendant. )

REPORT OF PROCEEDINGS of the  
hearings had before the Honorable THOMAS O'HARA,  
Judge of said of said Court, on the **30<sup>TH</sup> day of**  
**August, A.D., 2007.**

APPEARANCES:

HONORABLE RICHARD A. DEVINE,  
State's Attorney of Cook County, by:  
MS. LISA CASTILLO  
Assistant State's Attorney,  
Appeared on behalf of the People;

THE DEFENDANT,  
Mr. Howard King,  
Appeared Pro Se.

Reported by:  
Mary J. Gillespie, CSR  
Official Court Reporter  
Markham, Illinois  
License Number: 084-001332

1 THE CLERK: Howard King.

2 THE COURT: Good morning, Mr. King. How are  
3 you today?

4 THE DEFENDANT: I am, for the record, Jahari  
5 Nessor Oba El Bey. I am agent for Howard King.

6 THE COURT: You were charged under the name  
7 of Howard King.

8 THE DEFENDANT: Basically, Howard King is  
9 chattel property.

10 THE COURT: I want to make clear for the  
11 record that you were once known as Howard King.

12 THE DEFENDANT: That is correct, but my  
13 status has been corrected. I have accepted my  
14 inalienable rights as a Moor, and I am a  
15 sovereign person. I would like to ask the  
16 Court, on the record, will my inalienable rights  
17 be protected in this courtroom?

18 THE COURT: Sir, you have every right -- As  
19 a citizen of the United States you are protected  
20 under the Constitution of the State of Illinois  
21 and rules of this court, sir. You and every  
22 other citizen has those rights. The court will  
23 uphold those rights.

24 THE DEFENDANT: I just had to ask.

1 THE COURT: You filed a motion on the last

2 court date, is that correct?

3 THE DEFENDANT: That is correct.

4 THE COURT: What was the nature of that

5 motion, sir?

6 THE DEFENDANT: The nature of the motion was

7 to dismiss these charges, my Honor.

8 As you see, during the motion that I put in, I

9 stated constitutional law, and supreme court

10 law. One case in particular, Marbury versus

11 Madison, 1803 says any state law that is in

12 dispute with the constitution is voided.

13 According to me as a private

14 citizen, and inalienable rights, I have the

15 right to travel; I can travel to and fro freely

16 as a sovereign person. I am not chattel

17 property; I am blood and flesh. I am a person.

18 THE COURT: Your motion indicates that you

19 are alleging that you be exempt from the

20 requirements of having a license under the law,

21 is that correct?

22 THE DEFENDANT: If you read the documentation

23 that I also put inside of the packet, you will

24 see the exception as allowed through a private

1 citizen. There are all kinds of supreme court  
2 rulings that already ruled on it, my Honor.

3 THE COURT: What case law are you citing  
4 other than Marbury versus Madison?

5 THE DEFENDANT: Gibson versus Ogden.

6 THE COURT: That is a case that is almost  
7 two hundred years old.

8 THE DEFENDANT: It's still the law. I am  
9 right.

10 THE COURT: Yes, but it doesn't deal with  
11 this specific issue.

12 THE DEFENDANT: Actually, if you look at  
13 Exhibit A-1, just recently I pulled this off the  
14 internet, the judge dismissed the defendant's  
15 upper case as frivolous.

16 Upper case, my Honor, that means  
17 they made a person chattel property. I am blood  
18 and flesh. It says down here Cochran, who  
19 represented himself, with the aid of the court  
20 appointed attorney, has filed dozen of documents  
21 with the Court since the 2006 indictment, among  
22 the request for a psychological evaluation to  
23 determine if he was fit for trial. The judge  
24 dismissed this case because of the Upper Case,



1 quote unquote, making a person chattel property.

2 As I am standing before you, I am a human being;  
3 I am blood and flesh, I am a sovereign citizen,  
4 and all documents I presented to this court, the  
5 Treaty of Peace, along with the Constitution,  
6 because it has to be upheld.

7 I put my status on the record so  
8 there would be no confusion about who I am. I  
9 am not chattel property, sir. So in this case I  
10 just ask that these charges be dismissed because  
11 of that.

12 THE COURT: What charges do we have? We have  
13 the charge of Domestic Battery, is that correct?

14 THE STATE: And I have noted the elected case  
15 was the 6303.

16 THE COURT: And there is also a 6303 case?  
17 Okay, sir, on these matters you have a right to  
18 an attorney. I think we have gone through that  
19 before, sir. Do you understand that?

20 THE DEFENDANT: Yes, I do.

21 THE COURT: And if you cannot afford an  
22 attorney one will be appointed to represent you  
23 in court. Do you understand that?

24 THE DEFENDANT: My Honor, I will say this

1 again on the record and for the record, I would  
2 like the record to show that there is no  
3 attorney that will represent me in the way that  
4 I should be represented.

5 THE COURT: I want to make sure that you  
6 understand that you have the right to an  
7 attorney.

8 THE DEFENDANT: I fully understand that.

9 THE COURT: You have a right. If you wish to  
10 decline appointment of an attorney, you don't  
11 have to be represented by an attorney, and I  
12 cannot force that upon you, sir. I want to make  
13 sure, for the record, that you know that you do  
14 have the right to an attorney and if you cannot  
15 afford an attorney, the Court will appoint one  
16 to represent you on these matters. Do you  
17 understand that, sir?

18 THE DEFENDANT: Yes.

19 THE COURT: Do you wish to retain your own  
20 attorney? Are you able to retain your own  
21 attorney? Do you have the financial means to  
22 retain an attorney?

23 THE DEFENDANT: No, I don't.

24 THE COURT: Do you wish the court to appoint

1 an attorney for you?

2 THE DEFENDANT: Once again, I asked the first  
3 Judge, because according to this case, he  
4 was appointed an attorney to help him file  
5 certain papers. I don't know the law. I have  
6 been reading.

7 THE COURT: That is why I am asking you, sir,  
8 if you want an attorney?

9 THE DEFENDANT: The fact is that there is no  
10 attorney that has clean hands that will be able  
11 to represent me in this matter, me being a  
12 sovereign person.

13 THE COURT: Just for the record, do you wish  
14 me to appoint an attorney to represent you?

15 THE DEFENDANT: No. Once again, my Honor,  
16 no.

17 THE COURT: I just want to make sure. If you  
18 change your mind at any time, sir, I will  
19 appoint an attorney to represent you, if you  
20 show me that you are indigent and unable to  
21 retain your own attorney. Do you understand  
22 that, sir?

23 THE DEFENDANT: Yes.

24 THE COURT: If you wish at some other time

1 during these proceedings to have an attorney  
2 appointed, I will appoint one for you, sir. Do  
3 you understand that?

4 THE DEFENDANT: Yes.

5 THE COURT: Okay. This motion that you have  
6 filed here today deals with the case that the  
7 State has elected on, this charge of driving on  
8 a suspended driver's license; Do you wish to  
9 state anything else about your license as far as  
10 your Motion to Dismiss?

11 THE DEFENDANT: No, I think the paperwork  
12 that I filed on this case, I think it speaks for  
13 itself through the constitution of law that has  
14 already been established.

15 THE COURT: Does the State wish to respond to  
16 the Defendant's Motion to Dismiss?

17 THE STATE: We would ask to strike his  
18 motion. It has no basis. It doesn't state  
19 really a cause of action or claim.

20 Furthermore, as far as under the  
21 statute, the traffic code is that driving on  
22 public Highways you need a valid license.  
23 Driving is a privilege, not a right and it is  
24 regulated by the Secretary of State.

1 In this instance, the defendant  
2 didn't have a valid license and he submitted  
3 himself to the jurisdiction when he drove on  
4 Illinois public highways.

5 THE COURT: Okay, sir. Do you wish to  
6 respond to that?

7 THE DEFENDANT: Yes, sir.

8 THE COURT: You may do so.

9 THE DEFENDANT: Did the State's Attorney read  
10 the paperwork that I submitted?

11 THE COURT: That is not a proper question.  
12 You cannot question the State's Attorney. You  
13 can argue in response to a legal argument;  
14 Direct your argument to me, sir.

15 THE DEFENDANT: The legal argument clearly  
16 states that I have a right to travel and I don't  
17 need a driver's license, sir. It says that as  
18 sovereign persons, we have the right to come to  
19 and fro as we please. I am not out there  
20 vandalizing nobody; As a matter of fact, the  
21 Lynwood Police -- I was responding to someone  
22 who had broke into my house. When he arrested  
23 me, I was in the driveway of my house.

24 THE COURT: That is a factual defense of a



1 case, sir. That goes at trial as a factual  
2 defense as to whether or not you were driving  
3 the vehicle. Your motion is alleging that you  
4 are not subject to this law; That it should be  
5 dismissed as a matter of law.

6 THE DEFENDANT: As we look at Exhibit Two-A,  
7 we see that a Petition was filed and this was  
8 filed in New Jersey; Another one of our Moorish  
9 Brothers got stopped and the case got thrown  
10 out. This is a United State's Supreme Court  
11 Ruling. We have the right to travel,  
12 according to this document.

13 THE COURT: Are you alleging that you are a  
14 foreign national and not a citizen of the  
15 United States?

16 THE DEFENDANT: I am saying that I am a Moor  
17 and I am sovereign to this land, that is what I  
18 am saying. My documentation exhibit is  
19 jurisdiction notice. Basically it's self  
20 explanatory, my Honor, who I am. I am not going  
21 out there trying to do anything that will put  
22 anybody else at harm. There is no injured  
23 party. I am going to live and let live and I am  
24 wondering, all of these Supreme Court Rulings

1 and law, which I understand to be the law of the  
2 land, as long as the United States Constitution  
3 exists, and we are totally violating people's  
4 inalienable rights by pushing it to the side, it  
5 has been ruled on over and over again. I don't  
6 care if it's three hundred years old or one  
7 thousand years old, we still have the right to  
8 travel.

9 THE COURT: I read your motion and considered  
10 the argument, sir. The State of Illinois does  
11 have an interest in regulating driver's  
12 licenses, the privilege of driving in this  
13 State. Your motion alleges that you are not  
14 subject to that. I will dismiss your motion,  
15 sir. You are subject to the laws of the State  
16 of Illinois regarding licensed drivers. The  
17 State has a right to license operators of motor  
18 vehicles and you fall within the people that  
19 they have a right to regulate. You are not  
20 exempt from that.

21 Your motion to dismiss is  
22 respectfully denied. You do have the right to a  
23 trial on the issues.

24 THE DEFENDANT: Basically what you are

1 telling me, my Honor, is the Supreme Court

2 Ruling has been null and void in this court.

3 THE COURT: The Supreme Court case that you  
4 have cited are not on point to whether or not  
5 the State of Illinois has the right to regulate  
6 driving, and that you fall within that  
7 regulation, sir.

8 Your motion to dismiss is denied,  
9 sir. If you wish, you have the right to a trial  
10 on those matters,. We can set these matters for  
11 trial. Are you prepared to set this for a  
12 trial?

13 THE DEFENDANT: We can set it for trial. I  
14 still feel that my constitutional rights are  
15 being violated.

16 THE COURT: Sir, I have ruled on that. If  
17 you wish, at the proper time, you can file an  
18 appeal. At this time if you want to set it for  
19 trial, we can. Do you want this to be a bench  
20 trial or a jury trial?

21 THE DEFENDANT: Can I appeal your decision  
22 before we have a trial?

23 THE COURT: I cannot give you legal advise,  
24 You are the attorney. I will set this down for

1 trial. Do you wish to set it for trial? How  
2 soon do you want to set this for trial? Do you  
3 have everything you need to set it for trial, as  
4 far as evidence and witnesses?

5 THE DEFENDANT: I will have to try to do more  
6 research and get the witnesses who know about  
7 this case.

8 THE COURT: We would have to go into the  
9 latter part of October, sir.

10 THE DEFENDANT: The latter part of October  
11 would be fine.

12 THE COURT: What about the week of the 29th?  
13 Do you want to set it for Wednesday, October  
14 31<sup>st</sup>?

15 It is set for trial. You have indicated  
16 a jury trial. Once again, you do have the right  
17 to be represented by Counsel. If you wish, I  
18 will appoint an attorney to represent you. Do  
19 you understand that?

20 THE DEFENDANT: Yes. I can prove that I am  
21 indigent. What I am concerned about is this  
22 document states that the judge appointed an  
23 attorney, Mr. Cochran, to file certain  
24 documents. What I understand is that he was to

1 defend hisself, but he also had a legal counsel  
2 to tell him certain papers to file.

3 THE COURT: I will appoint an attorney to  
4 represent you, sir. The Court doesn't appoint  
5 advisors. Either I will appoint an attorney,  
6 and if you want to heed that attorney's advice,  
7 it's up to you, sir.

8 THE DEFENDANT: Can I ask you a question?  
9 Why did the judge give Mr. Cochran --

10 THE COURT: I don't know, but I am telling  
11 you that I will appoint an attorney if you  
12 request.

13 THE DEFENDANT: An attorney won't have clean  
14 hands. They would probably not know about a  
15 sovereign person.

16 THE COURT: Do you wish me to appoint an  
17 attorney at this time or not?

18 THE DEFENDANT: No, once again, no.

19 THE COURT: Once again, if you change your  
20 mind, I will do so.

21 October 31<sup>st</sup> is the next court date.  
22 In the meantime, if you change your mind and  
23 want an attorney to represent you, you can  
24 motion this case up before the 31<sup>st</sup> and I will



1 : appoint an attorney before that date. Do you  
2 understand that?

3 THE DEFENDANT: Yes, sir.

4 THE COURT: All right. Good day.

5

6 (Whereupon further proceedings  
7 in the above-entitled cause  
8 were continued to October 31<sup>st</sup>,  
9 2007.)

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STATE OF ILLINOIS       )  
                                      )  
COUNTY OF C O O K     ) SS

I, MARY J. GILLESPIE, Official Court  
Reporter of the Circuit Court of Cook County, do  
hereby certify that I reported in shorthand the  
proceedings had on the hearing in the aforementioned  
cause; that I thereafter caused the foregoing to be  
transcribed into typewriting, which I hereby certify to  
be a true and accurate transcript of the Report of  
Proceedings had before the Honorable FRANK  
CASTIGLIONE, Judge of said Court.

  
\_\_\_\_\_  
Official Court Reporter

Dated this 23<sup>RD</sup> day  
of October, 2007.

Archetype

Form: Public Juris/Affidavit  
Session: One Supreme Court

**Apostille No.: 031887**

Issued By ex officio Secretary of State of the  
United States; Secretary of The State of  
Arkansas, a Republic; "Self-Authenticating":  
Rule 902 (3), Federal Rules of Evidence;  
"Superior Proof of Official Record": Rule 27,  
Federal Rules of Criminal Procedure: Rule 44  
(a)(2) & 1991 Amendments, Federal Rules of  
Civil Procedure

**Act of State**

(Immutable Sovereign Citizen Statement)

**Expressed Administrative Hearing**

(Pursuant to Title 5 U.S.C. § 551-559)

**Private Law Rule 301 Rebuttal**

(Pursuant to Federal Rules of Evidence, Rule 301)

**Mandatory Judicial Notice**

(Rule 201 (d), Federal Rules of Evidence)

**TO:**

**Department of Finance & Administration  
Richard Weiss, Director  
1509 W 7th St, Room 401  
Little Rock, AR 72201**

**ARKANSAS ATTORNEY GENERAL  
Mike Beebe  
323 Center, Tower Bldg, Ste. 1260  
Little Rock, AR 72201**

**Cert. Mail 7004 2890 0003 8182 9850**

**7004 2890 0003 8182 9867**

**From: Harold-Dale: Long, Jr.**

**Notice of the Unalienable Right to Travel  
in the Nature of a Declaration of Fact**

I, Harold-Dale: Long, Jr., Declarant, herein also known as I, Me, My, Affiant, a lawful Christian Man, being of lawful age, non-territorial to the UNITED STATES, having first hand knowledge of the facts, do aver that the facts herein are true, correct, complete, and not misleading, without prejudice to Me, are in agreement with but not limited by the Laws of the United States of America, 28 U.S.C. § 1746(1), "without", so help me Almighty God.

1. Comes now the Declarant Harold-Dale: Long, Jr. to the STATE OF ARKANSAS and,
2. Whereas Declarant has internationally registered his identity as a Private, Sentient, Civilian, Sovereign American through the Arkansas Apostilled "Reaffirmation..." (#031887 attached, and referenced as if incorporated herein) and,

3. Whereas in **Boag v. MacDougall**, 454 U.S. 364 and **Haines v. Kerner**, 404 U.S. 519 the legal determination was made, "*if it can be read, it is lawful process from any citizen...*" and,
4. Whereas the public record is the highest form of evidence, I, Harold-Dale: Long, Jr. am hereby timely creating public record by declaration with this **Notice of the Unalienable Right to Travel in the Nature of a Declaration of Fact** and,
5. Whereas, service upon the principal is service upon the agent and service upon the agent is service upon the principal, all necessary parties, including but not limited to ALL members/agents of the **STATE OF ARKANSAS** are hereby provided notice and opportunity and,
6. Whereas the STATE OF ARKANSAS, WASHINGTON COUNTY, the CITY OF FAYETTEVILLE, and the CITY OF WEST FORK are instrumentalities of the UNITED STATES CORPORATION whereby Government officers/commissioners/secretaries/personnel are responsible and potentially liable for the conduct of the STATE OF ARKANSAS officials, and employees especially since ultra vires activity can result in dissolution of the charter pursuant to QUO WARRANTO and,
7. Whereas I have researched the organic laws of the united States of America and American case law (i.e. common law), I now declare that I have the unalienable and fundamental and unregulated right to travel upon the public highways in my private conveyance, duly conveyed, unhindered by any private or statutory law or Department of Finance and Administration regulation or so called requirement. This unalienable right to travel is guaranteed by the 9<sup>th</sup> and 10<sup>th</sup> Amendments of the Constitution for the united States of America and Bill of Rights, and upheld by many court decisions at all levels in support of that right (see below). I now explicitly Reserve, Assert and Defend that right and,
8. Whereas "*since the claim and exercise of a constitutional right cannot be converted into a crime, there can be no sanction or penalty imposed upon one because of his exercise of his constitutional rights.*" **Miller v. U.S.**, 230 F. 2d 486;; **Sherer v. Cullen** 481 F. 2d 946 and,
9. Whereas according to **Shuttleworth v. Birmingham**, 373 U.S. 262, "...if the State does convert a liberty into a privilege, the citizen can engage in the right with impunity," and "Since the injured party has relied on prior

*decisions of the Supreme Court, he has the perfect defense for willfulness.*" See U.S. v. Bishop, 412 U.S. 346 and,

10. Whereas Congress, pursuant to the authorization given it by the Commerce Clause of Article I, Section 8, Clause 3 of the Constitution for the united States of America, demands that only **(commercial)** "motor vehicles" (see 18 USC § 31) are required to be registered/licensed to include a driver's license/registration to operate that **(commercial)** "motor vehicle" and,
11. Whereas the state publication, **ARKANSAS Motor Vehicle and Traffic Laws and State Highway Commission Regulations**, 2001 Ed., in paragraph two of the **Foreword** states: "Sections relating to administration of **motor vehicles**--registration, licenses, titles, equipment, vehicle operator licensing, and collection of **motor vehicle** fees and taxes outline responsibilities of the Department of Finance and Administration." and,
12. Whereas according to A.C.A. 27-14-202 & 27-19-202, "Commissioner" means the Director of the Department of Finance and Administration acting in his capacity as Commissioner of **Motor Vehicles** of this state and,
13. Whereas the Commissioner's job title concerns "Motor Vehicles", the publication title concerns "Motor Vehicles", the Foreword concerns "Motor Vehicles", and everything within the publication concerns only "Motor Vehicles", the clear inference is that the publication and the Commissioner's job, as noted above, concern only **Motor Vehicles** and,
14. Whereas 18 USC § 31. Definitions states in part, "Motor vehicle" means every description of carriage or other contrivance propelled or drawn by mechanical power and **used for commercial purposes** on the highways in the transportation of passengers, passengers and property, or property or cargo (emphasis mine); and,
15. Whereas 18 USC § 31. Definitions states in part, "Used for commercial purposes" means the carriage of persons or property for any fare, fee, rate charge or other consideration, or directly or indirectly in connection with any business, or other undertaking intended for profit; and,
16. Whereas "Vehicle" is not defined in Title 18 USC § 31 since under the Commerce Clause only commerce is to be controlled, and our state codes and laws are in compliance with United States Code, because this is what is required and,



17. Whereas there is no mention of any requirement for a state-issued identification plate for a (non-commercial) vehicle, either state or federal and,
18. Whereas my private property is a vehicle, by established definition and the wording on a document entitled "Certificate of Origin for a Vehicle", and as such is not a "motor vehicle" subject to registration, I am not required to register my private vehicle (**not used in commerce**) under any 'Motor Vehicle' Arkansas law and,
19. Whereas A.C.A. 27-14-1015 "(a) *The owner of every vehicle subject to registration in Arkansas shall assess the vehicle with the county tax assessor...*", no assessment of my "private property" vehicle (as distinguished from "personal property" which can only belong to the legislatively-created fiction represented by the all caps enumeration of the entity) is required and,
20. Whereas the public highways are the property of the People, the only allowable restrictions as to their use is by regulation under the Commerce Clause by the Congress of the United States of America; the statutes and codification of this State are in total agreement with the fact that **usage is the key**, as all licensing and descriptions of conveyances are strictly limited to "commerce" and "commercial vehicles" (motor vehicles) and,
21. Whereas it is the duty of the state to administratively/ministerially report (see 23 USC §§ 303(c) & 402(a)) all such "motor vehicle" and "school bus" registration/licensing/driver license registration of those in commerce and commercial activities to the federal government for regulation by Congress and,
22. Whereas Title 49 USC (which is entitled "Transportation") Subtitle III, § 5702 states: "Transportation means any movement of property in commerce (including intrastate commerce) by a motor vehicle or rail vehicle and,
23. Whereas the A.C.A. is in perfect compliance and alignment with 49 USC where we find in Title 27 (which is also entitled "Transportation") Chapter 23 (entitled "Licensing Requirements) states in § 101 that "This chapter may be cited as the 'Arkansas Uniform Commercial Driver License Act'" and,

24. Whereas A.C.A. 27 (Transportation) in Chapter 16 (Driver's Licenses generally) at § 101 (Title): This Act may be cited as the "Uniform Motor Vehicle Driver's License Act" and,
25. Whereas A.C.A. 27-23-102 "Statement of intent and purpose. (a) The purpose of this chapter is to implement the federal Commercial Motor Vehicle Safety Act of 1986 (CMVSA) (Title XII of Public Law 99-570) and reduce or prevent commercial motor vehicle accidents, fatalities and injuries..." and,
26. Whereas A.C.A. 27-16-204 (Driver's Licenses Generally); "*'Driver' means every person who is in actual physical control of a **motor vehicle**...*" and,
27. Whereas A.C.A. 27-23-103 "*(11) 'Drive' means to drive, operate or be in physical control of a **commercial motor vehicle**...*" and,
28. Whereas A.C.A. 27-23-103 "*(13) 'Driver license' means a license issued by a state to an individual which authorizes the individual to drive a **motor vehicle**.*" and,
29. Whereas the courts have uniformly upheld the unalienable Right to Travel freely upon the Public Highways, the following citations are offered in affirmation of that Right and,
30. Whereas When government passes an unlawful act, such as the licensing of a Right, people need to know they have no obligation to obey it, for it is void from the time it was enacted: "*An unconstitutional legislative enactment, though law in form, is in fact not law at all. It confers no rights; it imposes no duties; it affords no protection; it is in legal contemplation as inoperative as though it had never been passed.*" Bonnett v. Vallier, 116 N.W. 885, 136 Wis. 193 (1908); Norton v. Shelby County, 118 U.S. 425, 442. and,
31. Whereas "*The use of the highway for the purpose of travel and transportation is not a mere privilege, but a common fundamental right of which the public and individuals cannot rightfully be deprived.*" Chicago Motor Coach v. Chicago, 169 NE 221. and,
32. Whereas "*Personal liberty largely consists of the right of locomotion—to go where and when one pleases—only so far restrained as the Rights of others make it necessary for the welfare of all other citizens. The right of the citizen to travel upon the public highways and to transport his property thereon, by horsedrawn carriage, wagon or automobile, is not a*

*mere privilege which may be permitted or prohibited at will, but the common Right which he has under the Right to life, liberty and the pursuit of happiness. Under this Constitutional guarantee one may, therefore, under normal conditions, travel at his inclination along the public highways or in public places, and while conducting himself in an orderly and decent manner, neither interfering with nor disturbing another's Rights, he will be protected, not only in his person, but in his safe conduct."* American Jurisprudence 1<sup>st</sup> Edition, Constitutional Law, Sec. 329, p. 1135. and,

33. Whereas *"Those have the right to do something cannot be licensed for what they have the right to do as such license would be meaningless."* City of Chicago v. Collins, 51 NE 907, 910. and,
34. Whereas *"This right of the people to the use of the public streets of a city is so well established and so universally recognized in this country, that it has become a part of the alphabet of fundamental rights of the citizen."* Swift v. City of Topeka, 23 Pac. 1075, 1076, 43 Kansas 671, 674. and,
35. Whereas *"All citizens of the United States of America have a right to pass and re-pass through every part of it without interruption, as freely as in their own state."* Smith v. Turner, 48 U.S. 283, 12 L Ed. 702. and,
36. Whereas *"The rights, privileges, and immunities of citizens exist notwithstanding there is no specific enumeration thereof in state constitutions. These instruments measure the powers of rulers, but they do not measure the rights of the governed...."* Thiede v. Town of Scandia Valley, 217 Minn.218,225; 14 N.W. 2d 400 (1944). and,
37. Whereas *"...reasonable regulations of an inalienable right do not include compelling a citizen to waive his constitutional rights by submitting him to licensing, the very nature of which subjects the licensee to rules that can be unreasonable or a further trespass on his rights... Legislative statute or fiat cannot change the nature of a constitutional right. The right or liberty to travel freely, which had existed when the Constitution of Connecticut was adopted, exists today, as the right is unchangeable..."* Du Pont v. Du Pont, 85 A. 2d 724, 728 (Del. B1951). and,
38. Whereas constitutional powers can never transcend constitutional rights, and the police power is therefore subordinate to constitutional rights, the police power cannot possibly license the exercise of such a right, and thereby transcend such a right and put itself in a superior position., and,

39. Whereas *"We realize that the police is elastic to meet changing conditions and changing needs, yet it cannot be used to abrogate or limit personal liberty or property rights contrary to constitutional sanction."* **City of Cincinnati v. Cornell**, 49 N.E. 2d 412, 414; 141 Ohio St. 535. and,
40. Whereas Licensing cannot be required of free people, because taking on the restrictions of a license requires the surrender of a right; *"Where rights secured by the Constitution are involved, there can be no rule making or legislation which would abrogate them."* **Miranda v. Arizona**, 384 U.S. 436, 491. and,
41. Whereas *"The claim and exercise of a right cannot be converted into a crime."* **Miller v. U.S.**, 230 F. 486, 489. and,
42. Whereas *"Heretofore the court has held, and we think correctly, that while a citizen has the Right to travel upon the public highways and to transport his property thereon, that Right does not extend to the use of the highways, either in whole or in part, as a place of business for private gain."* **Willis v. Buck**, 263 P.1 982; **Barney v. Railroad Commissioners**, 17 P.2d 82. and,
43. Whereas to deprive all persons of the Right to use the road in the ordinary course of life and business because one might, in the future, become dangerous, would be a deprivation not only of the Right to travel, but also the Right to due process, and,
44. Whereas *"We find it intolerable that one Constitutional Right should have to be surrendered in order to assert another."* **Simons v. United States**, 390 U.S. 389. and,
45. Whereas *"As a rule, fundamental limitations of regulations under the police power are found in the spirit of the Constitutions, not in the letter, although they are just as efficient as if expressed in the clearest language."* **Mehlos v. Milwaukee**, 146 N.W. 882. and,
46. Whereas in the instant matter, the state, by applying **commercial** statutes to all entities, natural and artificial persons alike, has deprived this free and natural person of the Right of Liberty, without cause and without due process of law, and *"The right to travel is part of the Liberty of which a citizen cannot be deprived without due process of law under the Fifth Amendment. This right was emerging as early as the Magna Carta."* **Kent v. Dulles**, 357 U.S. 116 (1958). and,

47. Whereas the legislature does not have the power to abrogate the Citizen's Right to travel upon the public roads, by passing legislation forcing the citizen to waive his Right and convert that Right into a privilege, and,
48. Whereas *"Any claim that this statute is a taxing statute would be immediately open to severe Constitutional objections. If it could be said that the state had the power to tax a Right, this would enable the state to destroy Rights guaranteed by the constitution through the use of oppressive taxation. The question herein, is one of the state taxing the Right to travel by the ordinary modes of the day, and whether this is a legislative object of the state taxation. The views advanced herein are neither novel nor unsupported by authority. The question of taxing power of states has been repeatedly considered by the Supreme Court. The Right of the state to impede or embarrass the Constitutional operation of the U.S. Government or the Rights which the citizen holds under it, has been uniformly denied."* **McCulloch v. Maryland**, 4 Wheat 316. and,
49. Whereas *"If, therefore, a statute purported to have been enacted to protect... the public safety, has no real or substantial relation to those objects or is a palpable invasion of Rights secured by the fundamental law, it is the duty of the courts to so adjudge, and thereby give effect to the Constitution."* **Mulger v. Kansas**, 123 U.S. 623, 661. and,
50. Whereas *"The assertion of federal rights, when plainly and reasonably made, is not to be defeated under the name of local practice."* **Davis v. Wechsler** 263 U.S. 22,24.
51. Whereas it could be said that the state would suffer a monetary loss, *"Economic necessity cannot justify a disregard of Constitutional guarantee."* **Riley v. Carter**, 79 ALR 1018; 16 Am.Jur.(2<sup>nd</sup>), Const. Law, Sec. 81. and,
52. Whereas the state cannot lose money that it never had a right to demand from the Sovereign People in the first place and,
53. Whereas it could be argued that the licensing scheme of all persons is a matter of public policy, *"No public policy of a state can be allowed to override the positive guarantees of the U.S. Constitution."* 16 Am.Jur. (2<sup>nd</sup>), Const. Law, Sec. 70. and,
54. Whereas no notice is given to people applying for driver's licenses that they have a perfect right to use the roads in non-commercial pursuits



without any permission, and that they surrender valuable rights by taking on the regulation system of licensure, the state has committed a massive constructive fraud. This occurs when any person is told that they must have a license in order to use the public roads and highways and,

55. Whereas the license, being a legal contract under which the state is empowered with policing powers, is only valid when the licensee takes on the burdens of the contract and bargains away his or her rights knowingly, intentionally and voluntarily and,
56. Whereas I, Harold-Dale: Long, Jr. cannot in good faith apply for, renew or accept a state-issued driver's license because to do so would be to commit Perjury, attesting that I am a citizen of, resident of (fiduciary, surety for) the corporate STATE OF ARKANSAS, when the already established facts by Apostille are that I am not a citizen of, franchisee of, or resident (agent) of the STATE OF ARKANSAS or the federal UNITED STATES and,
57. Whereas therefore, I have determined and hereby state the facts by declaration and by virtue of my declared sovereignty and American case law, that I am not required to have government permission to travel freely upon the public highways, not required to have a driver's license, not required to register my private property, nor to surrender the lawful title of my duly conveyed property to the State as security against government indebtedness and the undeclared federal bankruptcy. Any administrative rule/regulation or statutory act of any State legislature or judicial tribunal to the contrary is unlawful and clearly unconstitutional, thus null and void and,
58. Whereas "*The state is to protect against any encroachment of a constitutionally secured liberty and such constitutional provisions for the security of a person and property should be liberally construed.*" Boved v. U.S., 116 U.S. 616. Therefore my right must be interpreted in favor of me, the citizen, the beneficiary of the trust, because "*it is the duty of courts to be watchful for the constitutional rights of the citizen, and against any stealthy encroachments thereon.*" Bryars v. U.S., 273 U.S. 28, 16 AmJur 2<sup>nd</sup> § 97. and,
59. Whereas *it is not the job of government to make sure that the citizens are not in error, it is the duty of the citizens to make sure that the government is not in error*, and since the Constitution is the supreme law of the land as stated in Marbury v. Madison, 5 U.S. 137, "*The State may not imposed a charge for the enjoyment of a right protected by the Federal*

*Constitution nor convert a liberty into a privilege, license it, and attach a fee to it...*” as stated in **Murdock v. Pennsylvania**, 319 U.S. 105 and,

60. Whereas I regard it as just and necessary to give notice to the above-named proponent (see # 5) and its principals (see # 6) of the consequences of any failure to abide by the Constitution for the united States of America (1791) and the Constitution of the State of Arkansas (1836) and its oaths and duties in this matter, since it can result in the proponents committing acts of treason, usurpation and tyranny. Such trespasses would be clear and gross violations of the unambiguous Rights secured by the Constitution which allow no room for construction, as amply demonstrated by the numerous adjudications cited herein and,
61. Whereas Judge Cooley in Constitutional Limitations, page 71, writes, *“Acquiescence for no length of time can legalize a clear usurpation of power, where the people have plainly expressed their will in the Constitution.”* In this instant matter, although the ARKANSAS Motor Vehicle and Traffic Laws and State Highway Commission Regulations has been promulgated as “public law” for decades, that cannot be held as justification for any member of the executive or judicial branch of government (“servants”) to continue to usurp power by the continued conversion of Rights into privileges where such conversion is manifestly contrary to the enumerated Rights of the People and,
62. Whereas *“That if two or more persons shall band or conspire together, or go in disguise upon the public highway, or upon the premises of another, with intent to violate any provision of this act (enforcement act of May 30, 31, 1870), or to injure, oppress, threaten or intimidate any citizen, with intent to prevent or hinder his free exercise and enjoyment of any rights or privilege granted or secured to him by the Constitution or Laws of the United States, or because of his having exercised the same, such person shall be held guilty of felony, and, on conviction thereof, shall be fined or imprisoned, or both, at the direction of the Court, the fine not to exceed \$5,000 and the imprisonment not to exceed ten years; and shall, moreover, be thereafter ineligible to, and disabled from holding, any office or place of honor, profit, or trust created by the Constitution or Laws of the United States.”* 16 Stat. 140-141. and,
63. **Therefore In Summary** I seek to function according to and within the Private Law and to be afforded the protections of Private Law, while recognizing the lawful, proper jurisdiction of the Public Law, I will not false swear to the Public Law (A.C.A. 27-14-303 &305) which seeks to make **driver’s** licenses and vehicle registration “mandatory” for **all**

citizens and all vehicles through a process charitably described as “constructive fraud” and to which the unsuspecting fall prey and,

64. Whereas I seek to acquire the items necessary to pass and repass throughout Arkansas and this nation without harassment or interference and,
65. Whereas the STATE OF ARKANSAS has no authority to grant, and is not empowered, absent contract entered into knowingly, intentionally and voluntarily by both parties, to issue “tags” or “plates” for the registration or identification of the purely private property (private conveyance/vehicle not engaged in commerce) of private, sentient, civilian, absolute sovereign citizens, I will secure a plate for my own identification purposes. It will bear my internationally unique number, **031887** (Apostille #, issued by the Arkansas Secretary of State) with a single-letter suffix, in state “colors”, and will be mounted and maintained in the space provided for such identification on my private conveyance.
66. Whereas I am under no obligation to contract with the STATE OF ARKANSAS for a “driver’s license”, I will nonetheless secure for myself a “Private Citizen Notification” card, in lieu of the “license”, which will likewise bear my internationally unique number, photo and other identifying information.
67. Whereas if the parties given Notice by means of this document have information that would controvert and overcome this Declaration, please advise me in Written Affidavit Form within five (5) working days of receipt hereof, providing me with your Counter-Affidavit, proving with particularity, stating all requisite, evidentiary facts, legal and lawful determinations, or Constitutional Law that this Notice and Declaration of Fact is substantially and materially false sufficiently to change materially my Status and factual declarations. If no responses to this Expressed Administrative Hearing are received at the response address within five (5) working days of your receipt, a default will issue pursuant to the **FEDERAL RULES OF CIVIL PROCEDURE**, Rule 55(a). Additionally, if the presumptions stated herein are not rebutted according to the requirements specified in the **FEDERAL RULES OF EVIDENCE**, Rule 301, you will have elevated my presumptions to established, ultimate facts, your silence standing as consent to, and tacit approval of, the declarations as expressed herein. It is then your obligation to insure that your various “enforcement” agencies are aware of my status so that they may avoid infringing on my Rights, which will not be in jeopardy if sworn oaths to uphold the Constitutions are lawfully abided by and,



**I declare under the penalties of perjury, pursuant to the Laws of the United States of America that the foregoing is true, correct, complete, and not misleading.**

**Harold-Dale: Long, Jr., w/o prejudice, UCC 1-308**

**American/Arkansan; Christian;  
Private, Sentient, Civilian, Sovereign Citizen:  
United States of America, a Republic;  
The State of Arkansas, a Republic:  
Constitutional County and Township "Within".**

**Correspondence Address  
For all Responses:**

c/o Donovan Hite, Notary Public  
1107 S.W. 75 Road  
Holden, Missouri [64040]

-----  
**Acknowledgment**

IN WITNESS, I hereby acknowledge that on this \_\_\_\_\_ day of April, in the *Year of our Lord two thousand five* and of the Independence of these united States of America the two hundred twenty-eighth, the above named natural Man, Harold-Dale: Long, Jr., whose identity has been satisfactorily proven to me, a Notary Public in and for the State of Arkansas and Washington County, appeared before me to attest and affirm that he is the Declarant/Affiant in the foregoing Notice and Declaration, executing same of his own free and voluntary will.

I, THEREFORE, set my hand and seal in affirmation of the execution thereof.

\_\_\_\_\_  
NOTARY (Signature)

SEAL

\_\_\_\_\_  
My Commission Expires

## YOUR RIGHT TO TRAVEL IN YOUR PRIVATE CAR WITHOUT GOVERNMENT INTERFERENCE.

Most Americans believe that they have to be licensed by the State before they can drive their automobile, van or private truck on the highway. That is incorrect. Remember, the Declaration of Independence, July 4, 1776, said: "... all men are...endowed by their Creator with certain **UNALIENABLE RIGHTS**, that among these are life, **LIBERTY**, and the pursuit of happiness. That to **SECURE THESE RIGHTS**, governments are instituted among men..." That means that the government's job is to **GUARANTEE** the **RIGHTS** you are endowed with by your Creator at birth - NOT take them away and impose their rules and regulations on you as if those **RIGHTS** were really **PRIVILEGES** granted to you by that government.

BLACK'S LAW DICTIONARY, SIXTH EDITION, p. 1500.

"TRAVEL -To go from one place to another at a distance; to journey. Spoken of a voluntary change of place. Within the meaning of a constitutional right to travel, means migration with intent to settle and abide." - Strong v. Collatos, D.C. Mass., 450 F. Supp. 1356, 1360.

CENTURY DICTIONARY p. 2034.

"TRAVEL--to journey or to pass through or over; as a county, district, ROAD, etc. To go from one place to another, whether on foot, on horseback, or in any conveyance as a train, AN AUTOMOBILE, carriage, ship, or aircraft; make a journey." [Emphasis added]

BOUVIER'S LAW DICTIONARY (1948) p. 1186.

"TRAVELER -- one who passes from place to place, whether for pleasure, instruction, business, or health."

BOUVIER'S LAW DICTIONARY, (1948) p. 324.

"DRIVER -- one EMPLOYED in conducting a coach, carriage, wagon, or other vehicle..." [Emphasis added]

BOUVIER'S LAW DICTIONARY, (1948) p. 354.

"EMPLOYED -- The act of doing a thing, and the being UNDER CONTRACT or orders to do it." [Emphasis added]

So, why should you be **LICENSED** to operate your own private vehicle upon the public highways? The short answer is -- you **SHOULDN'T!** Here are some important legal quotations, which will, by themselves, explain to you what your **RIGHTS** really are:

"Personal liberty-- consists in the power of locomotion, of changing situation, of removing one's person to whatever place one's inclination may direct, without imprisonment or restraint, unless by due course of law." - 1 Blackstone's Comm. 134; Hare-- Const. L. 777; Bouvier's Law Dict. (1914); Black's Law Dict. 5th Ed. (1983).

"Personal liberty largely consists of the right of locomotion--to go where and when one pleases--only so far restrained as the rights of others may make it necessary for the welfare of all other citizens. **THE RIGHT OF THE CITIZEN TO TRAVEL UPON THE PUBLIC HIGHWAY AND TRANSPORT HIS PROPERTY THEREON**, by horse-drawn carriage, wagon, or AUTOMOBILE, IS NOT A MERE PRIVILEGE which may be permitted or prohibited at will, BUT A COMMON RIGHT which he has under the right to life, liberty and the pursuit of happiness. Under this constitutional guarantee one may, therefore, under normal conditions, travel at his inclination, along the public highways or in public places, and while conducting himself in an orderly manner, neither interfering with, nor disturbing another's rights, he will be protected, not only in his person, but in his safe conduct." - 11 AM JUR (1st). Const. L., Sec. 329 (Page 1135). [Emphasis added]

"Personal liberty, or the right to the enjoyment of life and liberty, is one of the fundamental and natural rights, which has been protected by its inclusion as a guarantee in the various constitutions, which is not derived from, nor dependent on the US Constitution, and may not be submitted to a vote, and may not depend upon the outcome of an election. **IT IS ONE OF THE**

*MOST SACRED AND VALUABLE RIGHTS... and is regarded as inalienable". - 16 CJS, Const. L., Sec. 202 (page 987). [Emphasis added]*

*"The right of privacy, as an independent and distinctive legal concept, has two main aspects: (1) the general law of privacy, which affords a tort action for damages resulting from an unlawful invasion of privacy, and (2) THE CONSTITUTION RIGHT OF PRIVACY WHICH PROTECTS PERSONAL PRIVACY AGAINST UNLAWFUL GOVERNMENT INVASION. While the Federal Constitution does not explicitly mention any Right of privacy, the supreme Court of the United States has declared that THE RIGHT OF PRIVACY IS A FUNDAMENTAL RIGHT GUARANTEED BY THE FEDERAL CONSTITUTION. This declaration was adopted by Congress when it enacted the Privacy Act of 1974. The Constitutionally protected right of privacy has been described by the supreme Court as THE RIGHT TO BE LET ALONE." - 16A Am Jur Section 601. [Emphasis added]*

*"In addition to the REQUIREMENT that the regulations governing the use of the highway MUST NOT BE VIOLATIVE OF CONSTITUTIONAL GUARANTEES, the prime essentials of such regulations are REASONABLENESS, impartiality, and definiteness or certainty." - 25 AM JUR 1st, Highways, Sec 260. [Emphasis added]*

*"The terms 'Travel' and 'traveler' are usually construed in their broad and general sense... so as to include all THOSE WHO RIGHTFULLY USE THE HIGHWAYS viatically and who have occasion to pass over them FOR THE PURPOSE OF BUSINESS, CONVENIENCE, or PLEASURE." - 25 AM. JUR 1st, Highways, Sec. 427. [Emphasis added]*

*"A citizen has the RIGHT to 'travel upon the public highways.'" - Barbour v. Connolly, 113 US 27, 31; "There should be no arbitrary deprivation of life or LIBERTY..." - Yick Wo v. Hopkins Sheriff, 118 US 356. [Emphasis added]*

*"Heretofore the court has held, and we think correctly, that while a citizen has the RIGHT to travel upon the public highways and to transport his property thereon, that right does not extend to the use of the highways, either in whole or in part, AS A PLACE OF BUSINESS FOR PRIVATE GAIN.... When the public highways are made the PLACE OF BUSINESS the state has a right to regulate their use in the interest of safety and convenience of the public as well as the preservation of the highways... Its (the state's) right to regulate such use IS BASED UPON THE NATURE OF THE BUSINESS and the use of the highways IN CONNECTION THEREWITH." - Barney v. Bd of RR Comm'rs, 17 P. 2d 82; Willis v. Buck 81 Mont. 472, 263 P. 982. [Emphasis added]*

*"Driving upon the public highways, is a liberty within the protection of the United States Constitution and the RIGHT to drive an automobile cannot be revoked without due process of law." - Berberian v. Lussier, 87 R.I. 226, 231, 139 A. 2d 869 (1958). [Emphasis added]*

*"It is the duty of the courts to be watchful for the Constitutional Rights of the citizen, and AGAINST ANY STEALTHY ENCROACHMENT THEREON." - BOYD v. US, 116 US 616 (1886). [Emphasis added]*

*"The use of the highway for the purpose of travel and transportation IS NOT A MERE PRIVILEGE, but a COMMON AND FUNDAMENTAL RIGHT of which the public and INDIVIDUALS CANNOT RIGHTFULLY BE DEPRIVED." - Chicago Motor Coach v. Chicago, 337 111, 200, 169 NE 22, 66 ALR 834; Ligare v. Chicago, 139 111, 46 28 NE 934; Boone v. Vlsrk, 214 SW 607; 25 AM JUR (1st) HIGHWAYS, Sec. 163. [Emphasis added]*

*"With particular regard to the U.S. Constitution, it is elementary that a RIGHT secured by or protected by that document CANNOT BE OVERTHROWN OR IMPAIRED by any state police authority." - Connolly v. Union Sewer Pipe Co., 184 US 540, 22 S.Ct. 431; Lefarier v. Grand Trunk R. Co., 24 A. 848, 17 LRA 111; O'Neil v. Providence Amusement Co., 108 A. 887, 8 ALR 1590. [Emphasis added]*

*"...it may be said that a tax of one dollar for passing the state... cannot sensibly affect any function of government OR DEPRIVE A CITIZEN OF ANY VALUABLE RIGHT. But if a state can tax... a passenger one dollar, it can tax him one thousand dollars. If the right of passing through a state by a citizen of the United States is one guaranteed by the Constitution, IT MUST BE SACRED FROM TAXATION." - Crandell v. Nevada, 6 Wall 35, 46 (1867). [Emphasis added]*

"As we have said on more than one occasion, it may be difficult, if not impossible, to give to the terms "due process of law" a definition which will embrace every permissible exertion of power affecting private rights and exclude such as are forbidden... In this country, the requirement is intended to have a similar effect against legislative power, that is, to secure the citizen AGAINST ANY ARBITRARY DEPRIVATION OF HIS RIGHTS, whether relating to his life, LIBERTY, or his property.... the great purpose of this requirement is to exclude everything that is arbitrary and capricious, IN LEGISLATION, affecting the rights of citizens." - Dent v. State of West Virginia, 129 US 114, 123-124, 32 L.Ed 623, 9S.Ct 231 (1888). [Emphasis added]

"The power of citizenship as a shield against oppression was widely known from the example of Paul's Roman Citizenship, which sent the centurion scurrying to his higher-ups with the message: 'Take heed what thou doest: for this man is a Roman'. I suppose none of us doubts that the hope of imparting to American Citizenship some of this vitality was the purpose of declaring in the Fourteenth Amendment: 'All person born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. NO STATE SHALL MAKE OR ENFORCE ANY LAW WHICH SHALL ABRIDGE THE PRIVILEGES OR IMMUNITIES OF THE CITIZENS OF THE United States.' - Edwards v. California, 314, US 160, 182 (1941). [Emphasis added]

"The Right of the citizen to travel upon the highway and to transport his property thereon, in the ordinary course of life and business, DIFFERS RADICALLY AND OBVIOUSLY from one who makes the highway his place of business and uses it for private gain... The FORMER IS THE USUAL AND ORDINARY RIGHT OF THE CITIZEN, A RIGHT COMMON TO ALL, while the latter is special, unusual, and extraordinary." - Ex Parte Dickey (Dickey v. Davis), 76 W.Va 576, 85 SE 781 (cited by Washington decisions) (See also Teche Lines v. Danforth, 12 So. 2d 784, and Thompson v. Smith, 155 Va 367, 154 SE 579, 71 ALR 604). [Emphasis added]

"(The roads)...are constructed and maintained at public expense, and no person, therefore, can insist that he has, or may acquire, a vested right to their use in CARRYING ON A COMMERCIAL BUSINESS." - Ex Parte Sterling, 53 SW 2d 294; Barney v. R.R. Comm'rs, 17 P. 2d 82; Stephenson v. Binford, 287 US 251, 77 L. Ed 288, 53 S. CT. 181, 87 ALR 721, 727. [Emphasis added]

"It is not contended by any one that the city would have the right to prevent the appellant from riding in his automobile on any street in the city... for the streets were built (sic) for that purpose." - Green v. San Antonio, 178 SW 6; Hadfield Respondent's Brief, pg 32. [Emphasis added]

The supreme Court's decision ruled that: "...the streets and highways BELONG TO THE PUBLIC, FOR THE USE OF THE PUBLIC IN THE ORDINARY AND CUSTOMARY MANNER... the sovereign state has plenary control of the streets and highways, and in the exercise of its police power, may absolutely prohibit the use of the streets as a place for the prosecution of a PRIVATE BUSINESS FOR GAIN... THE FORMER IS A COMMON RIGHT, the latter is an extraordinary use." - Hadfield v. Lundin, 98 W. 657, 168P. 516 [Emphasis added]

"...we are of the opinion that there is a CLEAR DISTINCTION... between an individual and a corporation... THE INDIVIDUAL MAY STAND UPON HIS CONSTITUTIONAL RIGHTS AS A CITIZEN. He is entitled to carry on his private business in his own way. His power to contract is unlimited. HE OWES NO DUTY TO THE STATE or to his neighbors to divulge his business, or to open his doors to an investigation, so far as it may incriminate him. HE OWES NO SUCH DUTY TO THE STATE, SINCE HE RECEIVES NOTHING THEREFROM, beyond the protection of his life and property. HIS RIGHTS ARE AS EXISTED BY THE LAW AND CAN ONLY BE TAKEN AWAY FROM HIM BY DUE PROCESS OF LAW, AND IN ACCORDANCE WITH THE CONSTITUTION... HE OWES NOTHING TO THE PUBLIC SO LONG AS HE DOES NOT TRESPASS UPON THEIR RIGHTS." - Hale v. Henkel, 201 US 43, 74 (1906). [Emphasis added]

"...is to pass or make a journey from place to place, whether on foot, on horseback, or in ANY conveyance." - Hendrey v. Town of North Hampton, 56 A. 922, 924.

"That statutes which would deprive a citizen of the rights of person or property, WITHOUT A REGULAR TRAIL, according to the course and usage of the common law, would not be the law of the land." - Hoke v. Henderson, 15 N.C. 15. [Emphasis added]



~~"The state CANNOT diminish RIGHTS of the PEOPLE."~~ - Hurtado v. California, 110 US 516.  
[Emphasis added]

"It is therefore, the adaptation and use, rather than the form or kind of conveyance that concerns the courts." - Indiana Springs Co. v. Brown, 165 Ind. 465, 74 NE 615.

"...(its object) is to confer right or power WHICH DOES NOT EXIST without it and exercise of which, without license would be illegal." - Inter-City Coach Lines v. Harrison, 157 SE 673, 676.  
[Emphasis added]

~~"The right to 'travel' is part of the 'liberty' of which a citizen cannot be deprived without due process of law under the Fifth Amendment. This Right was emerging as early as the Magna Charta."~~ - Kent v. Dulles, 357 US 116, 125.

"...The Power to Tax Involves the Power to Destroy." - McCullough v. Maryland, 4 Wheat 316.

"As a rule, fundamental limitations of regulations under the police power are found in the spirit of the constitutions, not in the letter, although they are just as efficient as if expressed in the clearest language." - Mehlos v. Milwaukee, 156 Wis. 591, 146 NW 882, 51 LRA 9N.S.0 1009.

~~"Further, the Legislative branch of government CANNOT convert such a claim and exercise of a constitutional right to a crime."~~ - Miller v. US, 230 F. 486, 489. [Emphasis added]

~~"Where rights secured by the US Constitution are involved, there can be NO RULE or LEGISLATION which would have the effect of canceling the right."~~ - Miranda v. Arizona, 384 US 436. [Emphasis added]

"The automobile is not inherently dangerous." - Moore v. Roddie, 106 Wn. 518; Cohen v. Meador, 89 SE 867; Blair v. Broadmore, 93 SE 632.

~~"The courts are not bound by mere form, nor are they to be misled by PRETENSES. They are at liberty indeed are under a SOLEMN DUTY to look at the substance of things whenever, they enter upon the inquiry whether the legislature has transcended the limit of its authority. If therefore, a statute purporting to have been enacted to protect... the public safety, has no real or substantial relation to those objects, OR IS A PALPABLE INVASION OF RIGHTS SECURED BY THE FUNDAMENTAL LAW, it is the DUTY of the courts to so adjudge, and thereby give effect to the Constitution."~~ - Mugler v. Kansas, 123 US 623, 661. [Emphasis added]

"The Right of free exercise of Religion and of Liberty (locomotion) exists apart from state authority. This is not a charge for the enjoyment of a 'privilege' or benefit bestowed by the state. (These Rights) are guaranteed the PEOPLE by the US Constitution. A state may not impose a charge for the enjoyment of a right granted by the Federal Constitution... The power to tax the exercise of a (right)... is the power to control or suppress its enjoyment. ...THOSE WHO CAN TAX THE (right to travel)... CAN CLOSE THE DOORS TO ALL THOSE WHO DO NOT HAVE A FULL PURSE." - Murdock v. Pennsylvania, 319 US 105 (see also Rawson v. Dept of Licenses, 15 Wn.2d 364, 371 (1942); Compare Crandell v. Nevada, 6 Wall 35, 46 (1867)). [Emphasis added]

"It will be observed from the language of the ordinance that a DISTINCTION is to be drawn between the terms 'operator' and 'driver'; the 'operator' of the service car being the person who IS LICENSED to have the car upon the streets IN THE BUSINESS OF CARRYING PASSENGERS FOR HIRE; while the 'driver' is the one who actually drives the car. However, in the actual PROSECUTION OF BUSINESS, it is possible for the same person to be both 'operator' and 'driver'." - Newbill v. Union Indemnity Co., 60 SW 2d 658. [Emphasis added]

"Moreover, a distinction MUST BE OBSERVED between the REGULATION of an activity which may be engaged in as a MATTER OF RIGHT and one carried on by government sufferance or permission." - Packard v. Banton, 264 US 140, 145. [Emphasis added]

"The police power of the state must be exercised IN SUBORDINATION to the provisions of the U.S. Constitution." - Panhandle Eastern Pipeline Co. v. State Highway Commission, 294 US 613, 79 L.Ed 1090, 55 S.Ct. 563; Buchanan v. Warley, 245 US 60, 62 L.Ed 149, 38 S.Ct. 16.  
[Emphasis added]

"Moreover, the ultimate test of the propriety of police regulations must be found in the Fourteenth Amendment, since it operates to limit the field of police power to the extent of PREVENTING THE ENFORCEMENT OF STATUTES IN DENIAL OF RIGHTS that the Amendment protects." - Parks v. State, 64 NE 862. [Emphasis added]

"A 'license' is defined as: '...the permission by competent authority to do an act which, without such permission, would be illegal, a trespass, or a tort.'" - People v. Henderson, 218 NW 2d 4.

"A license...is no more than a temporary permit to do that which would otherwise BE UNLAWFUL..." - Rawson v. Dept of Licenses, 15 Wn.2d 364, 371 (1942). [Emphasis added]

"The only limitations found restricting the right of the state to condition the use of the public highways as a means of vehicular transportation FOR COMPENSATION are (1) that the state MUST NOT exact of those it permits to use the highways for hauling FOR GAIN that they shall SURRENDER ANY OF THEIR INHERENT U.S. CONSTITUTIONAL RIGHTS as a condition precedent to obtaining permission for such use..." - Riley v. Lawson, 143 SO. 619; Stephenson v. Binford, 287 US 251, 87 ALR 721, 736. [Emphasis added]

"We know of no inherent right in one to use the highways FOR COMMERCIAL PURPOSES. The highways are primarily for the use of the public, and in the interest of the public, the state may prohibit or regulate... the use of the highways FOR GAIN." - Robertson v. Department of Public Works, 180 Wn. 133, 135. [Emphasis added]

"A 'license' is a mere revocable 'privilege' to do an act (or series of acts) upon land, and EXCLUDES THE RIGHT OR TITLE THERETO." - See Eastman v. Piper, 229 P. 1002, 1003; Gravelly Ford Canal Co. v. Pope and Talbot Land Co., 178 P. 155, 163; Howes v. Barmon, 81 P. 48, 49; Rodefer v. Pittsburgh, 74 NE 183, 186. [Emphasis added]

"The local authorities shall have NO POWER to pass or enforce any ordinance, rule, or regulation requiring of the owner or operator of any motor vehicle, ANY LICENSE OTHER THAN AN OCCUPATIONAL LICENSE or tax." - Session Laws of 1915, Chapter 142, Sec. 34. [Emphasis added]

"We find it intolerable that one constitutional right should have to be surrendered in order to assert another." - Simmons v. US, 390 US 389 (1968).

"All sorts of restrictions and burdens are imposed under it (police power), and when these are NOT IN CONFLICT with any CONSTITUTIONAL PROHIBITIONS, OR FUNDAMENTAL PRINCIPLES, they cannot be successfully assailed in a judicial tribunal but under the pretense of prescribing a police regulation, the State cannot be permitted to ENCROACH UPON ANY OF THE JUST RIGHTS OF THE CITIZEN which the Constitution intended to secure against abridgment." - Slaughter House Cases, 16 WALL 36, 87. [Emphasis added]

"Although the Fourteenth Amendment does not interfere with the proper exercise of the police power, in accordance with the general principle that the power must be exercised so as not to invade UNREASONABLY the rights guaranteed by the Fourteenth Amendment, and the inhibitions there imposed." - Southern R. Co. v. Virginia, 290 US 190. [Emphasis added]

"As used here, 'privilege' means a qualified right or a particular advantage enjoyed by a class, BEYOND THE COMMON ADVANTAGE OF OTHER CITIZENS..." - Spokane v. Port, Wn. App. P. 2d (1986). (Compare with State v. City of Spokane, 109 Wn 360, 186 P. 864. [Emphasis added])

"The RIGHT of the citizen to travel upon the highway and to transport his property thereon, in the ordinary course of life and business, DIFFERS RADICALLY AND OBVIOUSLY from that of one who makes the highway his PLACE OF BUSINESS and uses it for private gain. The former is the usual and ordinary RIGHT of the citizen, A COMMON RIGHT, A RIGHT COMMON TO ALL, while the latter is special, unusual, and extraordinary. This distinction, ELEMENTARY AND FUNDAMENTAL in character, IS RECOGNIZED BY ALL THE AUTHORITIES." - State v. City of Spokane, 109 Wn. 360, 186 P 864. [Emphasis added]

"...for while a citizen has the RIGHT to travel upon the public highways and to transport his property thereon, the Right does not extent, in whole or in part, AS A PLACE OF BUSINESS FOR PRIVATE GAIN. For the latter purpose, no person has a vested right to use the highways of the

state, BUT IS A MERE PRIVILEGE OR LICENSE which the Legislature may grant or withhold at its discretion..." - State v. Johnson, 75 Mont. 240, 243 P 1073; Hadfield v. Lundin, 98 W. 657, 168 P. 516.; Cummins v. Jones, 79 Ore 276, 155 P 171; Packard v. Banton 44 S. Ct 257, 264 US 140, 68 L. ED 598; and cases to numerous to list. [Emphasis added]

~~"First, IT IS WELL ESTABLISHED LAW that the highways of the state are public PROPERTY, that their primary and preferred use is FOR PRIVATE PURPOSES, and that their use for PURPOSES OF GAIN is special and extraordinary which, generally at least, the legislature can prohibit or condition as it sees fit."~~ - Stephenson v. Binford, 287 US 251, 77 L. Ed 288, 53 S. CT. 181, 87 ALR 721, 727. [Emphasis added]

~~"The RIGHT to travel is without qualification and its application to the COMMON and ORDINARY TRAVELER is not conditional upon his choice of conveyance. (to travel)"~~ - Packard v. Banton, 264 US 140, 144, 68 L. Ed 596, 607, 44 S. Ct. 257 and cases cited, [Emphasis added]

~~"The state's power to convert the individual's 'RIGHT' to travel upon the public highways, into a 'privilege' does NOT EXIST-- THE POWER IS DENIED!"~~ - Erast & F. Trucking Co. v. R.R. Comm. 271 US 583, 592, 70 L. Ed 1101, 1104, 47 ALR 457, 46 S. Ct. 605 [Emphasis added]

"The RIGHT of the citizen to travel upon the public highways and to transport his property thereon, in the ordinary course of life and business IS A COMMON RIGHT which he has under the Right to enjoy life, liberty, to acquire and possess property, and to pursue happiness and safety. IT INCLUDES THE RIGHT, in so doing, TO USE THE ORDINARY AND USUAL CONVEYANCES OF THE DAY and under the existing modes of travel, INCLUDES THE RIGHT...TO OPERATE AN AUTOMOBILE THEREON, for the usual and ordinary purposes of life and business." - Thompson v. Smith, 155 Va 367, 154 SE 579, 71 ALR 604; Berberian v. Lussier, 87 R. I. 226, 231, 139 A. 2d 869 (1958); Teche Lines v. Danforth, 12 So. 2d 784. [Emphasis added]

"It is well and amply settled that the Constitutional rights protected by invasion by the police power, include rights safeguarded both by express and implied prohibitions in the constitutions." - Tighe v. Osborn, 131 A. 801, 43 ALR 819.

"Highways are public roads, WHICH EVERY CITIZEN HAS A RIGHT TO USE... The use of the highway IS NOT A PRIVILEGE, BUT A RIGHT, limited by the rights of others, and to be exercised in a reasonable manner." - Washington State's "Business Law for Business Men": "SECTION 1364. THE LAW OF THE ROAD. [Emphasis added]

"Leave to do a thing which licensor could prevent." - Western Electric Co. v. Pacent Reproducer Corp., 42 F.2d 116, 188.

"It is the MANNER of driving the automobile, and THAT ALONE, which threatens the safety of the public. The auto's ability to stop quickly and its quick response to guidance would seem to make the automobile one of the least dangerous of conveyances." - Yale Law Journal--Dec. 1905. [Emphasis added]

"No person shall be...deprived of life, LIBERTY, or property, WITHOUT DUE PROCESS OF LAW." - U.S. Constitution, 5th Amendment. [Emphasis added]

So, every Citizen of a free Republic in the united States of America, has the RIGHT to transport their own vehicle upon the public highways without license or penalty!

**OFFICER, AM I UNDER ARREST OR AM I FREE TO LEAVE?  
WASHINGTON LAW HOLDS THAT IF I AM NOT FREE TO  
LEAVE, THEN I AM UNDER ARREST!**

Do NOT tell me that I am NOT under "arrest" and that I am merely being "detained" because the word "arrest" is used to define the word "detain" to wit:

**"Detain.** To retain as the possession of personalty, To arrest, to check, to delay, to hinder, to hold, or keep in custody, to retard, to restrain from proceeding, to stay, to stop. People v. Smith, 17 Cal.App.2d 468, 62 P.2d 436, 438; State v. King, 303 S.W.2d 930, 934. See Confinement; Custody." Blacks Law Dictionary, Fifth Edition at page 404.

Washington Court's have consistently held that once you turn on your lights and stop me, that you have invoked a seizure, that I am not free to leave and that I am under arrest to wit:

**"A motorist is seized when a police officer pulls up behind his car and activates full emergency lights."** State v. DeArman, 54 Wn. App. 621, 624, 774 P.2d 1247 (1989).

"Under the totality of the circumstances, the officers' attempt to summon the occupants of the parked car with both their emergency lights and high beam headlights constituted a show of authority sufficient to convey to any reasonable person that voluntary departure from the scene was not a reasonable alternative. Cf. United States v. Palmer, 603 F.2d 1286, 1289 (8<sup>th</sup> Cir. 1979). In the present case, however, we conclude that Stroud was "seized", for Fourth Amendment purposes, at the moment the officers pulled up behind the parked vehicle and switched on the flashing light." State v. Stroud, 30 Wn.App. 392 (1981).

"A person is "seized" within the meaning of the Fourth Amendment only when, in light of all the surrounding circumstances, a reasonable person would believe that he or she was not free to leave." United States v. Mendenhall, 446 U.S. 544, 554 100 S.Ct 1870, 64 Led. 2d 497 (1980); State v. Young, 135 Wn.2d 498, 509, 957 P.2d 681 (1998).

"Under both state and federal law, whenever a police officer stops a motorist, he has "seized" him." State v. Silvernail, 25 Wn.App. 185, 605 P.2d 1279 (1980).

The Court in Seattle v. Sage, 11 Wn. App. 481, at pages 484-485, 523 P.2d 942, rev. denied 84 Wn.2d 1013 (1973), observed:

**"... a person is placed under arrest when he is deprived of his liberty by an officer who intends to arrest him.** The arresting officer does not need to orally communicate this intent to the person being arrested. State v. Sullivan, 65 Wn.2d 47, 395 P.2d 745 (1964). Here the arrest occurred when the officer informed the aid car attendant that the defendant was under arrest **and was not to be allowed to leave. The arrest was valid.** (Emphasis mine). See also State v. McIntyre, 92 Wn.2d 620, 623, 600 P.2d 1009 (1979).

State v. Byers, 88 Wn.2d 1, 559 P.2d 1234 (1977) cited with approval in State v. Dunn, 22



Wn.App. 362 (1979), appears to be the modern case most cited in Washington as to what constitutes an arrest. At page 5 the court states:

"A person is restrained or imprisoned when he is deprived of either liberty of movement or freedom to remain in the place of his lawful choice; and such restraint or imprisonment may be accomplished by physical force alone, or by threat of force, or by conduct reasonably implying that force will be used. Kilcup v. McManus, 64 Wn.2d 771, 777, 394 P.2d 375 (1964). Appellants were under arrest from the moment they were not, and knew they were not free to go. United States v. See, 505 F.2d 845, 855 (9<sup>th</sup> Cir. 1974) 'when the officers interrupted the two men and restricted their liberty of movement, the arrest for purposes of this case was complete' Henry v. United States, (supra) at 103." State v. Byers, supra, at page 5. See also Moore v. Pay 'n Save, 20 Wn.App. 482 (1978).

In State v. Sullivan, 65 Wn.2d 47, 395 P.2d 745 (1964), the court observed at page 51:

"Perhaps it should be mentioned that as a general rule a person is placed under arrest when he is deprived of his liberty by an officer who intends to arrest him. It is not always necessary for the officer to make a formal declaration of arrest. See: 1 Varon, Searches, Seizures and Immunities, 75 (1961); Henry v. United States, 361 U.S. 98, 4 L.Ed.2d 134, 80 S.Ct. 168 (1959) and United States v. Boston, 330 F.2d 937 (1964). And;

"The stopping of an automobile by a highway patrol officer for inspection of a driver's license, or for any other purpose where it is accomplished by the authority of the officers, is an "arrest." Robinson v. State, 198 S.W.2d 633, 635, 184 Tenn. 277

"A motorist stopped by a traffic officer for a traffic offense would be considered "arrested" . . . even if the motorist was not specifically informed that he had been arrested." People ex rel. Winkle v. Bannan, 125 N.W.2d 875, 879, 372 Mich. 292.

"Any restraint, however slight, upon another's liberty to come and go as one pleases, constitutes an "arrest." Swetnam v. W.F. Woolworth Co., 318 P.2d 364, 366, 83 Ariz. 189.

See also United States v. Boston, 330 F.2d 937 (1964); United States v. Shelby, 407 F.2d 241 (Ninth Circuit, 1969); United States v. Willis, 248 F.Supp. 265 (D.C. 1965); Virgin Island v. Quinones, 301 F.Supp. 246 (D.V.I. 1969); State v. Mallet, 542 S.W. 2d 584; Pullins v. State, 256 N.E. 2d 553, 556 (Sup.Ct. Ind., 1970); Dillon v. State, 275 N.E.2d 312 (Sup.Ct.Ind., 1971); United States v. Strickler, 490 F.2d 378 (9<sup>th</sup> Cir. 1974); Jackson v. United States, 408 F.2d 1165, 1169 (8<sup>th</sup> Cir. 1969); Presly v. State, 75 Florida 434, 78 So. 532, LRA 1918 C. 975; 4 Wharton's Criminal Procedure 281; and 4 Am Jur. 5 defining what constitutes an "arrest."

For help, call Tribal Court Attorney Luis Ewing at (253) 226-3741 or <[rcwcodebuster@yahoo.com](mailto:rcwcodebuster@yahoo.com)>

COOK COUNTY CIRCUIT COURT

MARKHAM, ILLINOIS 60426

Jahari Nessor Oba El Bey )  
Agent for Howard L. King )  
In Propria Persona )  
Plaintiff )

Vs. )

THE VILLAGE OF LYNWOOD, IL )  
Inclusive of Chief of Police, Prosecu- )  
tor, arresting Police Officers )  
And all Government Agents attached )  
To this case )  
Defendants )

Case No.: 06-858337

DISTRICT COURT

MOTION TO DISMISS

MOTION TO OBJECT AND TO DISMISS

COMES NOW Jahari Nessor Oba [(corrected appellation) Agent and Secured Party of Howard L. King] Affiant herein, domiciled in the State of Illinois, state under penalties of perjury under The Laws of the STATE OF ILLINOIS, that Affiant is competent to be a witness, Affiant has personal knowledge of the following facts, and that the facts contained herein are true, correct, complete and not misleading. I'M APPEARING IN PROPRIA PERSONA, SURI JURIS

Affiant states that Affiant knows and understands the meaning of "penalties of perjury."

Affiant states that Affiant knows and understands that ignorance of the Law is not an excuse for violating the Law.

Affiant states that Affiant knows and understands the laws of Human Rights.

Affiant states that Affiant is a Sovereign Washitaw Moor.


Affiant states that the Police Officers of and in the Villiage of Lynwood have denied Affiant Due Process.

Affiant states that the Police Officers of Lynwood, Illinois took my Washitaw License Plates.

**Affiant states that the Police Officers of the Villiage Lynwood, took my work truck and a second car off of private property.**

**Affiant DEMANDS the reading of the SUPREME COURT Decisions that are attached before making any decision that is contrary to my right as a NATURAL PERSON and WASHITAW SOVEREIGN.**

**Affiant states that he OBJECTS and am seeking a "MOTION TO DISMSS" based on the attached SUPREME COURT CASES.**

  
**Jahari Nessor Oba El Bey, UCC 1-207 \* 1-308**  
**All Rights and Liberties Reserved**

TO THE Cook County Circuit COURT OF ILLINOIS  
IN THE CIRCUIT COURT OF COOK COUNTY  
CRIMINAL BUREAU

PEOPLE OF THE STATE OF ILLINOIS

VS

Howard L. King

Case No. 16-858337  
Trial Judge Presiding Judge  
Court Reporter \_\_\_\_\_  
Attorney \_\_\_\_\_  
Appeal Check Date \_\_\_\_\_  
Appeal Bond \_\_\_\_\_

NOTICE OF APPEAL

An appeal is taken from the order or judgment described below: A Sovereign Moor  
Appellant's Name: Shari Nessor Oba EL Ben  
Appellant's Address: PO BOX 503 Lansing, IL 60438  
Appellant's Attorney: I'm in Propra Persona, I'm NOT AN Attorney  
Address: Same as Above  
Offense: Driving without a license (Revoked)  
Judgment: Guilty of NOT Adhering to the Constitutionality of my Right to Travel  
As Stated Evidence. on a hearing before him on Aug 28, 2007  
Date: Ticket issued on 12/12/2006  
Sentence: None AS of yet  
Date Notice Filed: Sept 28, 2007

Howard L. King

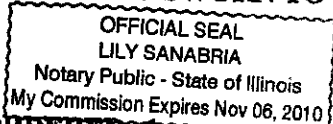
Appellant

VERIFIED PETITION FOR REPORT OF PROCEEDINGS AND COMMON LAW RECORD

Under Supreme Court Rules 605-608 Appellant ask the Court to order; (1) the Official Court Reporter to transcribe an original and the copy of the proceedings; file the original with the Clerk and deliver a copy to the Appellant, or upon Appellant's written request to the Appellant's attorney of record, and (2) the Clerk to prepare the Record on Appeal.

The Appellant, being duly sworn, says that at the time of his/her conviction he/she was and he/she now is unable to pay for the Record or an appeal lawyer.

SUBSCRIBED and SWORN TO before me this



Howard L. King

Appellant

28<sup>th</sup> day of September

2007

[Signature]

Notary Public

ORDER

IT IS ORDERED; 1.

appointed as counsel on appeal, and 2. the record and Report of Proceedings be furnished appellant free.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DATE: \_\_\_\_\_ ENTER: \_\_\_\_\_  
Judge Judge's No.

I acknowledge receipt: \_\_\_\_\_  
Court Reporter

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS